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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO.294 OF 2006

Chittaranjan D. Shah & Ors. ... Petitioners

V/s.

Official Assignee & Ors. ... Respondents

Mr.K.R. Parekh with Denzil D'mello for Petitioner
Mr.Riyaz Chagla with Mr.H. Sudhakar for Respondent

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **JULY 26, 2006**

P.C.:

. The Petition has been filed for staying the arbitration proceedings. The Petitioners contend that the mandate of the Arbitrator has come to an end under section 14 of the Arbitration and Conciliation Act, 1996 as there has been an undue delay on the part of the learned Arbitrator to complete the arbitration. According to the Petitioners, the arbitration has prolonged for 6.1/2 years and there is no reason why the arbitration should be allowed to continue for such a long period of time. It is submitted on behalf of the Petitioners that this Court should lay down some guidelines in order to prevent arbitration proceedings being prolonged endlessly and unjustifiably.

2. Undisputedly, the earlier arbitrator who was appointed in the year 2000, expired some time in 2004 after which by consent the present arbitrator was

appointed in May 2005.

3. The learned Arbitrator has held 14 meetings after his appointment and has decided several interim applications during this period by giving detailed orders. In my view, this is not a fit case for admission. This is because it appears to me from the record that the main reason for filing the present Petition is because the learned Arbitrator refused permission to the Petitioners to amend their pleadings. In such circumstances, Petition is rejected.